IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 85 OF 2007

Sadashiv Appa Patole ...
Petitioner

V/s.

The State of Maharashtra & Ors. ...
Respondents

Mr. M.S. Kumthekar for the Petitioner

Mrs. J.S. Pawar, Additional Government Pleader,
for Respondent Nos. 1 and 2

Mr. Jitendra Pawar holding for Mr. S.M. Sabrad
for Respondent No. 3.

CORAM: **J.N. PATEL AND A.A. SAYED, JJ.**

DATE: **AUGUST 24, 2007**

P.C.:-

1. This is a petition filed in public interest seeking quashing or setting aside the contract awarded to respondent No. 3 for excavation of sand from the river bed Bhima, Village Nanvij, Taluka Daund, District Pune.

2. The respondents have filed the affidavit of the District Mining Officer, who has stated that the contract granted in favour of respondent No. 3 has expired on 31st July, 2007, and that no fresh auction has been held for the site mentioned in the public interest litigation. Therefore, we dispose of this matter with a direction to the respondents that henceforth, they will not award any contract in case of sites which are otherwise prone to ecological and geological degradation due to excavation of sand, and to follow the proper procedure by getting the same certified from a geologist before putting in auction any site for excavation of sand in the region. The public interest litigation stands disposed of accordingly.

J.N. PATEL, J.

A.A. SAYED, J.